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OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF REGIONAL OFFICES  
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December 30, 2019

Hon. Mark W. Pedersen  
Magistrate Judge, WDNY  
100 State St.  
Rochester, NY 14614

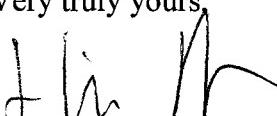
**Re: George Wishart v. Welkley, et al., 19-CV-6189**

Dear Hon. Pedersen:

I am writing per the Court's Order (Docket No. 18) to update the Court as to discovery in this case. With regard to the OSI file and medical records that I obtained from DOCCS, I have produced these documents to Plaintiff's counsel and believe that issue is now entirely resolved. With regard to collection of my clients' emails and texts, per the Court's request I have spoken with the IT department at the Attorney General's Office. They will be able to extract the data but it will require my clients to physically get the phones to the lab in White Plains NY. Given the holidays and their schedules, this might take some time, but the process is in motion.

DOCCS has also collected the data pertaining to the clients who are no longer employed at DOCCS described by the Court. There are four Defendants who are no longer employed by DOCCS. The closest departure to the date of the incident alleged was Officer Soria, who retired in August 2017, a year and a half after the incident alleged, after 27 years on the job. None of the four officers were disciplined for any wrongdoing pertaining to any matter at bar.

Finally, last Tuesday I asked Plaintiff's counsel to confirm that when they responded to my document demands, their searches included searching for emails and texts, and for the details of that search. They have not yet responded (again, the holiday season has doubtless played a role) but I hope to have that issue resolved fairly soon as well.

Very truly yours,  
  
HILLEL DEUTSCH  
Assistant Attorney General